

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

IN RE: FTX CRYPTOCURRENCY EXCHANGE  
COLLAPSE LITIGATION

MDL No. 3076

C.A. No. 1:23-md-03076-KMM

THIS DOCUMENT RELATES TO:

REQUEST FOR HEARING (Dkts. 707 and 708)

*Lahav et al. v. Binance Holdings Limited et al.*,  
No. 1:24-cv-21421-MOORE

**LEAD PLAINTIFF NIR LAHAV’S REQUEST FOR HEARING ON CHANGPENG  
ZHAO’S MOTION TO DISMISS (DKT. 707) AND THE BINANCE US DEFENDANTS  
MOTION TO DISMISS (DKT. 708)**

Pursuant to Civ. L. R. 7-1(b)(2), Lead Plaintiff, Nir Lahav (“Lead Plaintiff”), on behalf of himself and all others similarly situated (including but not limited to the named plaintiffs in the other actions within this MDL and their Classes), respectfully requests the Court set a Hearing, on any date that is convenient for the Court on Binance Holdings Ltd. and Changpeng Zhao’s Motion to Dismiss (Dkt. 707) and BAM Trading Services Inc. and BAM Management US Holdings Inc. (“the Binance US Defendants”) Motion to Dismiss (Dkt. 708).

On May 21, 2024, the Lead Plaintiff filed the first MDL Consolidated Complaint against the Defendants (Dkt. 689).

Defendants filed motions to dismiss (Dkt. 707 and 708) that have been fully briefed.

The Lead Plaintiff has also filed a motion for leave to file a reply (Dkt. 772), which the Binance US Defendants oppose (Dkt. 793).

On December 4, 2024, the Lead Plaintiff, through his counsel, asked the Defendants’ counsel their position on this request for a Hearing and whether they would like to join it. The Defendants state their position: “This request appears to be untimely under local rule 7.1(b), which

provides that requests for oral argument shall be made within the motion or opposing memorandum. Defendants have conferred and do not believe that a hearing on the pending motions is necessary or warranted here. But if the Court would find a hearing helpful, we are available at the Court's convenience."

The Lead Plaintiff respectfully requests that the Court excuse this untimely request, given that this request was made promptly after the full briefing was completed. No undue delay, prejudice, or bias is applicable here in any event. Moreover, a hearing on both motions to dismiss would be helpful, given that the Defendants in this action are not similarly situated to the remaining MDL Defendants. The Defendants in this action were competitors of the FTX Group, and their competitor status is not disputed.

The Lead Plaintiff estimates that the time required for argument should not exceed an hour and a half.

Dated: December 13, 2024

Respectfully submitted,

**DEVLIN LAW FIRM, LLC**

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*Attorneys for Lead Plaintiff and the Class  
Nir Lahav, on behalf of himself and all others  
similarly situated*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2024, a true and correct copy of the foregoing document was filed via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

/s/ Timothy Devlin  
Timothy Devlin